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REMARKS

As stated on page 2 of the Office Action the Examiner has rejected claims 12-28 as being indefinite under 35 USC §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, for claims 12 and 21, the Examiner is seeking further clarification for the term "internal streams" as compared to a data stream and a debug stream. The specification has been amended on page 4 to provide an example of "internal streams" from the parent application, said parent application, now U.S. Patent 6,920,545 incorporated by reference in its entirety in the present application.

As stated on page 3 of the Office Action, the Examiner has rejected claims 1,3-9,12, 14-21 and 23-28 under 35 USC §103(a) as being unpatentable over Bates at al, U.S. Patent 7,080,360 in view of Pardo et al, U.S. Patent 5,754,839.

As stated on page on page 9 of the Office Action, the Examiner has rejected claims 10-11 under 35 USC §103(a) as being unpatentable over Bates at al, U.S. Patent 7,080;360 in view of Pardo et al, U.S. Patent 5,754,839, further in view of Master et al U.S. Patent 6,836,839.

On page 11 of the Office Action, the Examiner believes Bates reads on originally filed claims because the term "stream computers" has not been given patentable weight. Bates, U.S. Patent 7,080,360, describes a method, apparatus and article of manufacture for debugging code. The method comprises executing code, determining whether the execution of the code exits the region of the code without firing the user specified breakpoint, and if so, halting the execution of the code (Abstract). The claims have been amended to show the concurrent structure of stream computers. Bates does not describe nor suggest " functional units operating concurrently in response to a data stream" as now claimed. Bates cannot use multiple nodes (functional units) concurrently to respond to a data stream as it describes a single

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processor (single functional unit) where no processing concurrency can exist.

Bates does not envision multiple data and other flows within a computer having multiple functional units (nodes), and their interaction to arrive at a viewpoint descriptive of the data based on a debug stream. Bates uses a conventional Von Newman architecture of the prior art, described in Fig 1 (prior art) of the present application. Bates does not teach multiple functional units (nodes) operating concurrently as in the stream computer of the present application, nor would the teachings in Bates be applicable in a multiple functional units (nodes) environment where a data stream and a debug stream are present.

Similarly, Pardo et al, U.S.Patent 5,754,839, filed august 28, 1995, describes a single, pipelined processor (110), not a plurality of interacting processors, the multiple functional units (nodes) of this application. Pardo is structurally different from the present application. Pardo does not teach nor suggest using the single computer structure in Bates to arrive at a concurrent, multi-processor structure of the present application.

As amended, the claims of the present application do not read on either Bates or Pardo, or the combination of Bates and Pardo, because the present application describes multiple, concurrently operating processors, functional units (nodes).

Along the same lines, Master at al, U.S. Patent 6,836,839, filed March 22, 2001, does not envision a plurality of functional nodes, operating concurrently, using a data or debug stream as in the present application. Master describes " a new category of integrated circuitry and a new methodology for adaptive or reconfigurable computing" (Abstract). The concept of viewpoints generated by a debug stream are not detailed nor suggested.

Thus, the claims as amended, introduce a structural element of concurrency not present in either Bates, Pardo or Master. The claims are therefore not obvious under 35 USC §103(a) over Bates at al, U.S. Patent 7,080,360 in view of Pardo et al,

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U.S. Patent 5,754,839, further in view of Master et al, U.S. Patent 6,836,839.

The structural element of concurrency of stream computers is now part of the amended claim body, not the preamble. This avoids Examiner's argument on page 11 of the Office Action with respect to In Re Hirao, 535 F 2d 67, 190 USPQ 15 (CCPA 1976) and Kropa v Robie, 187 F 2d 150, 152 88 USPQ 478, 481 (CCPA 1951).

Case law support

It is not proper to combine non-analogous art to arrive at a finding of obviousness, *In re Oetiker*, 977 F 2d 1443, 24 USPQ 2d 1443, (Fed Cir 1992). The present invention is non-analogous to Bates, Pardo or Master because structural elements of the references are different from the present invention as described above.

In the alternative, the present invention is not obvious where there is no suggestion of the combination of Bates, Pardo or Master even if they could have been combined, *In Re Fritch* 972 F 2d 1260, 23 USPQ 2d 1780 (Fed. Cir. 1992). Bates does not suggest the combination of elements with those from Pardo to arrive at the present invention. Master does not suggest the combination of elements with those from either Bates or Pardo to arrive at the present invention.

Thus, there is no suggestion in any of the cited prior art patents, Bates, Pardo or Master as to "how the features of the two devices could be combined as to meet the structure claimed." *Ex parte Re Qua*, 56 USPQ 279, CCPA 1942 at 280.
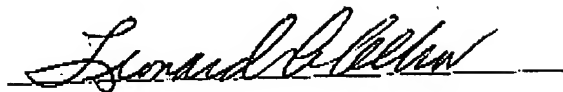
No new matter is introduced by the above.

Having overcome rejections and objections by the Examiner, processing towards issue of this application is respectfully requested.

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FEE CALCULATION.

No independent or dependent claims are added. No fee is due.

Respectfully submitted,

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